

accounts with respect to such assistance and such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(2) The Endowment shall ensure that it, or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance provided through the Endowment under this subchapter. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose.

(i) Annual report; contents; testimony respecting report

Not later than February 1 of each year, the Endowment shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress. The report shall include a comprehensive and detailed report of the Endowment's operations, activities, financial condition, and accomplishments under this subchapter and may include such recommendations as the Endowment deems appropriate. The Board members and officers of the Endowment shall be available to testify before appropriate committees of the Congress with respect to such report, the report of any audit made by the Comptroller General pursuant to subsection (f) of this section, or any other matter which any such committee may determine.

(j) Grantee; conflict of interest

After January 31, 1993, no member of the Board of the Endowment may be a member of the board of directors or an officer of any grantee of the National Endowment for Democracy which receives more than 5 percent of the funds of the Endowment for any fiscal year.

(Pub. L. 98-164, title V, § 504, Nov. 22, 1983, 97 Stat. 1040; Pub. L. 99-93, title II, § 210(b), (d), Aug. 16, 1985, 99 Stat. 432; Pub. L. 100-204, title II, § 211, Dec. 22, 1987, 101 Stat. 1376; Pub. L. 102-138, title II, §§ 211(d), 215, Oct. 28, 1991, 105 Stat. 695, 697; Pub. L. 103-236, title II, § 228, Apr. 30, 1994, 108 Stat. 423.)

AMENDMENTS

1994—Subsec. (h)(1). Pub. L. 103-236 substituted “bank accounts or separate self-balancing ledger accounts” for “accounts”.

1991—Subsec. (g). Pub. L. 102-138, § 211(d), substituted “shall” for “may also” before “be audited”.

Subsec. (j). Pub. L. 102-138, § 215, added subsec. (j).

1987—Subsec. (h)(1). Pub. L. 100-204 inserted “separate accounts with respect to such assistance and” after “keeps”.

1985—Subsecs. (g) to (i). Pub. L. 99-93 added subsec. (g), redesignated existing subsecs. (g) and (h) as (h) and (i), respectively, and in subsec. (i) substituted “February 1” for “December 31”.

§ 4414. Requirements relating to the Endowment and its grantees

(a) Partisan politics

(1) Funds may not be expended, either by the Endowment or by any of its grantees, to finance the campaigns of candidates for public office.

(2) No funds granted by the Endowment may be used to finance activities of the Republican National Committee or the Democratic National Committee.

(3) No grants may be made to any institute, foundation, or organization engaged in partisan activities on behalf of the Republican or Democratic National Committee, on behalf of any candidate for public office, or on behalf of any political party in the United States.

(b) Consultation with Department of State

The Endowment shall consult with the Department of State on any overseas program funded by the Endowment prior to the commencement of the activities of that program.

(Pub. L. 98-164, title V, § 505, as added Pub. L. 99-93, title II, § 210(a), Aug. 16, 1985, 99 Stat. 431.)

§ 4415. Freedom of information

(a) Compliance with Freedom of Information Act

Notwithstanding the fact that the Endowment is not an agency or establishment of the United States Government, the Endowment shall fully comply with all of the provisions of section 552 of title 5.

(b) Publication in Federal Register

For purposes of complying pursuant to subsection (a) of this section with section 552(a)(1) of such title, the Endowment shall make available to the Director of the United States Information Agency such records and other information as the Director determines may be necessary for such purposes. The Director shall cause such records and other information to be published in the Federal Register.

(c) Review by United States Information Agency

(1) In the event that the Endowment determines not to comply with a request for records under section 552, the Endowment shall submit a report to the Director of the United States Information Agency explaining the reasons for not complying with such request.

(2) If the Director approves the determination not to comply with such request, the United States Information Agency shall assume full responsibility, including financial responsibility, for defending the Endowment in any litigation relating to such request.

(3) If the Director disapproves the determination not to comply with such request, the Endowment shall comply with such request.

(Pub. L. 98-164, title V, § 506, as added Pub. L. 99-93, title II, § 210(a), Aug. 16, 1985, 99 Stat. 432.)

CHAPTER 55—RESEARCH AND TRAINING FOR EASTERN EUROPE AND INDEPENDENT STATES OF FORMER SOVIET UNION

Sec.
4501. Findings and declarations.

- Sec.
 4502. “Institution of higher education” and “Advisory Committee” defined.
 4503. Establishment of Advisory Committee.
 (a) Establishment; composition; Chairman.
 (b) Meetings; quorum.
 (c) Technical and clerical assistance.
 (d) Functions.
 4504. Authority to make payments; purposes.
 4505. Applications; payments to eligible institutions.
 4506. Reporting requirements.
 4507. Federal control of education prohibited.
 4508. Allocation of funds.
 4509. Repealed.

§ 4501. Findings and declarations

The Congress finds and declares that—

(1) factual knowledge, independently verified, about the countries of Eastern Europe and the independent states of the former Soviet Union is of the utmost importance for the national security of the United States, for the furtherance of our national interests in the conduct of foreign relations, and for the prudent management of our domestic affairs;

(2) the development and maintenance of knowledge about the countries of Eastern Europe and the independent states of the former Soviet Union depends upon the national capability for advanced research by highly trained and experienced specialists, available for service in and out of Government;

(3) certain essential functions are necessary to ensure the existence of that knowledge and the capability to sustain it, including—

- (A) graduate training;
- (B) advanced research;
- (C) public dissemination of research data, methods, and findings;
- (D) contact and collaboration among Government and private specialists; and
- (E) firsthand experience of the countries of Eastern Europe and the independent states of the former Soviet Union by American specialists, including on site conduct of advanced training and research to the extent practicable; and

(4) it is in the national interest for the United States Government to provide a stable source of financial support for the functions described in this section and to supplement the financial support for those functions which is currently being furnished by Federal, State, local, regional, and private agencies, organizations, and individuals, and thereby to stabilize the conduct of these functions on a national scale, consistently, and on a long range unclassified basis.

(Pub. L. 98-164, title VIII, § 802, Nov. 22, 1983, 97 Stat. 1047; Pub. L. 103-199, title III, § 302(3), Dec. 17, 1993, 107 Stat. 2322.)

AMENDMENTS

1993—Pars. (1), (2), (3)(E). Pub. L. 103-199 substituted “countries of Eastern Europe and the independent states of the former Soviet Union” for “Soviet Union and Eastern European countries”.

SHORT TITLE

Section 801 of title VIII of Pub. L. 98-164, as amended by Pub. L. 103-199, title III, § 302(2), Dec. 17, 1993, 107

Stat. 2322, provided that: “This title [enacting this chapter] may be cited as the ‘Research and Training for Eastern Europe and the Independent States of the Former Soviet Union Act of 1983’.”

DEFINITIONS

In pars. (1), (2), and (3)(E), independent states of the former Soviet Union has the meaning given in section 5801 of this title, see section 3 of Pub. L. 103-199, set out as a note under section 5801 of this title.

§ 4502. “Institution of higher education” and “Advisory Committee” defined

As used in this chapter—

(1) the term “institution of higher education” has the same meaning given such term in section 1141(a) of title 20; and

(2) the term “Advisory Committee” means the Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union established by section 4503(a) of this title.

(Pub. L. 98-164, title VIII, § 803, Nov. 22, 1983, 97 Stat. 1048; Pub. L. 103-199, title III, § 302(4), Dec. 17, 1993, 107 Stat. 2322.)

AMENDMENTS

1993—Par. (2). Pub. L. 103-199 substituted “Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union” for “Soviet-Eastern European Studies Advisory Committee”.

§ 4503. Establishment of Advisory Committee

(a) Establishment; composition; Chairman

There is established within the Department of State the Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union which shall be composed of the Secretary of State, the Secretary of Defense, the Secretary of Education, the Librarian of Congress, the President of the American Association for the Advancement of Slavic Studies, and the President of the Association of American Universities. The Secretary of State shall be the Chairman.

(b) Meetings; quorum

The Advisory Committee shall meet at the call of the Chairman and shall hold at least one meeting each year. Three members of the Advisory Committee shall constitute a quorum.

(c) Technical and clerical assistance

The Secretary of State may detail personnel of the Department of State to provide technical and clerical assistance to the Advisory Committee in carrying out its functions under this chapter.

(d) Functions

The Advisory Committee shall recommend grant policies for the advancement of the objectives of this chapter. In proposing recipients for grants under this chapter, the Advisory Committee shall give the highest priority to national organizations with an interest and expertise in conducting research and training concerning the countries of Eastern Europe and the independent states of the former Soviet Union and in disseminating the results of such research. In making its recommendations, the Advisory Committee shall emphasize the development of a stable, long-term research program.